

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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MICHAEL KANE, et al.,		:	
	Plaintiffs,	:	
		:	
- against -		:	Case No. 21-cv-7863 (VEC) (Lead)
		:	
BILL DE BLASIO, et al.,		:	
	Defendants.	:	
-----X		:	
MATTHEW KEIL, et al.		:	
	Plaintiffs,	:	
		:	
- against -		:	Case No. 21-cv-8773 (VEC)
		:	
THE CITY OF NEW YORK, et al.,		:	
	Defendants.	:	
-----X		:	

**DECLARATION OF BARRY BLACK IN OPPOSITION TO  
DEFENDANTS' MOTION TO DISMISS THE CONSOLIDATED CLASS  
ACTION AMENDED COMPLAINT**

**BARRY BLACK**, an attorney admitted to practice before this Court, declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true:

1. I am an attorney for the Plaintiffs and am fully familiar with the facts and circumstances of this case.
2. I respectfully submit this Declaration in support of Plaintiffs' Opposition to Defendants' Motion to Dismiss the Consolidated Class Action Amended Complaint, and fully incorporate all pleadings filed in opposition to this motion, including the Memorandum of Law submitted herewith.

3. The attached exhibits are true and accurate copies of what they purport to be.
4. Attached hereto as Exhibit 1 is a true and correct copy of the 97 mandates issued by the City of New York or its departments governing vaccination since the start of the pandemic, which my office downloaded from the City of New York's website.
5. Attached hereto as Exhibit 2 is a true and correct copy of the transcript of Mayor Eric Adams' remarks during his March 24, 2022 "Economic and Health-Related Announcement," which my office downloaded from the City of New York's website.
6. Attached hereto as Exhibit 3 is a true and correct copy of the certified transcript of the February 24, 2022 oral arguments before a merits panel of the Second Circuit Court of Appeals in the consolidated case of *Keil v. City of New York*, 21-3043 (L), 21-3047 (CON), which my office obtained from La Palabra Court Reporting, LLC.

Dated: New York, New York  
March 30, 2022

Respectfully submitted,



Barry Black  
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